



Give Agency to the Medium
and
See What Happens

Rutherford



Cover: @Rutherford

Before joining academia, from 1982 to 1993, Rutherford was a commercial photographer in Toronto, Canada, and made photographs for advertising, public relations and government agencies, as well as several nonprofit organisations.

In his photographs, he often noticed surprising differences between the scenes and objects he set out to record — and the images in the resulting photographs. These (sometimes subtle, but rarely anticipatable) discrepancies offered the tantalising possibility that there was something going on which the popular conception of photography (what it is and what it does) may hinder our ability to recognise. He explored these ideas in his essay *Is This Photograph Taken?*

Intrigued by the implications of these discrepancies, Rutherford's current photographic project (*Give Agency to the Medium, Step Back and See What Happens*) ignores the established conventions of visual representation for "good" photographs and explores an alternative approach to photographic practice: one which invites the active (or, the act of) collaboration by the medium.

This project challenges the idea that photographs are accurate records of events in the world "out there" and, instead, encourages the viewer to step outside this popular conception of photography and see the subject — and the medium of photography — from a new perspective.

By arranging situations in which he is unable to determine the contents and the composition of photographs and how the medium will render "the things in front of the lens," the scenes and tableaux recorded in these photographs were not "taken," but were instead created by the act of photographing them.

These are all straight photographs. In some, he has enhanced the contrast, brightness, or colour saturation, but has not otherwise manipulated the results.



The project *Technical Images of Flux* (2017-ongoing) explores the differences between the world we can see and the way it appears in photographs. For example, the camera depicts the depth and distance of our 3-dimensional world as a flat surface because, with its monocular eye, this Cyclops sees it as one. These photographs are accurate records of the world—but the world as only the camera sees it.



Excerpts from *Submarines*

This project began with a series of unmanipulated depictions of figures under water. Due to the constant motion (flux) of the surface of the sea, these images were never seen or registered by the human eye. Created by the act of photographing them, they exist only in the resulting photographs.

Cretan Sea 6288 (2017)



Satisfied with the results of my first efforts, I asked friends and acquaintances to “pose” for me by standing still (or treading water) while I held the camera just below the surface of the water, pointed (I hoped) in their general direction. I was unable to exercise any meaningful control over the contents of the frame, the composition of the photograph, and how the figures would be rendered when the exposure was made.

The results are therefore a collaboration between me (my choice of the general direction in which to point the camera and the moment at which to press the button), the surface of the water (the motion and properties of which I can neither anticipate nor control), the medium (which compresses the elements onto a flat two-dimensional plane, creating juxtapositions between the elements and so determines how the elements will be rendered) and chance or serendipity as manifest through the unanticipable constellation of all these factors at the precise moment at which, following the delay imposed by the simple digital camera, the image is recorded.

I like to throw the cards up into the air.

Hooman Modhadam in Flux 215261 (2017)



In the second phase, the positions were reversed. The camera was held underwater, pointed upwards towards figures above the surface. In the third, the camera is held just below the surface, pointing upward through the surface toward buildings and natural features whose appearance is distorted by the motion of the sea.

Cretan Sea was a test to find out whether the technique of holding a waterproof camera below the surface of the sea, pointing upwards through the surface at the figures of bathers, would produce promising and worthwhile results. I believe that it did.

The photographs in this series are the result of my effort to invite the active (or, more accurately, **the act of**) contribution of three factors which create the scene or moment recorded in the photograph. I am unable to anticipate or control these factors because:

1. The motion of the surface of the sea, which distorts the figures above the surface and the reflection of the seabed below, is constant and unanticipable
2. I cannot see the image in the camera's digital monitor (because I do not wear a swim mask)
3. But, even if I could see the image, the delay between pushing the button and recording the image prevents me from "choosing" the moment recorded.

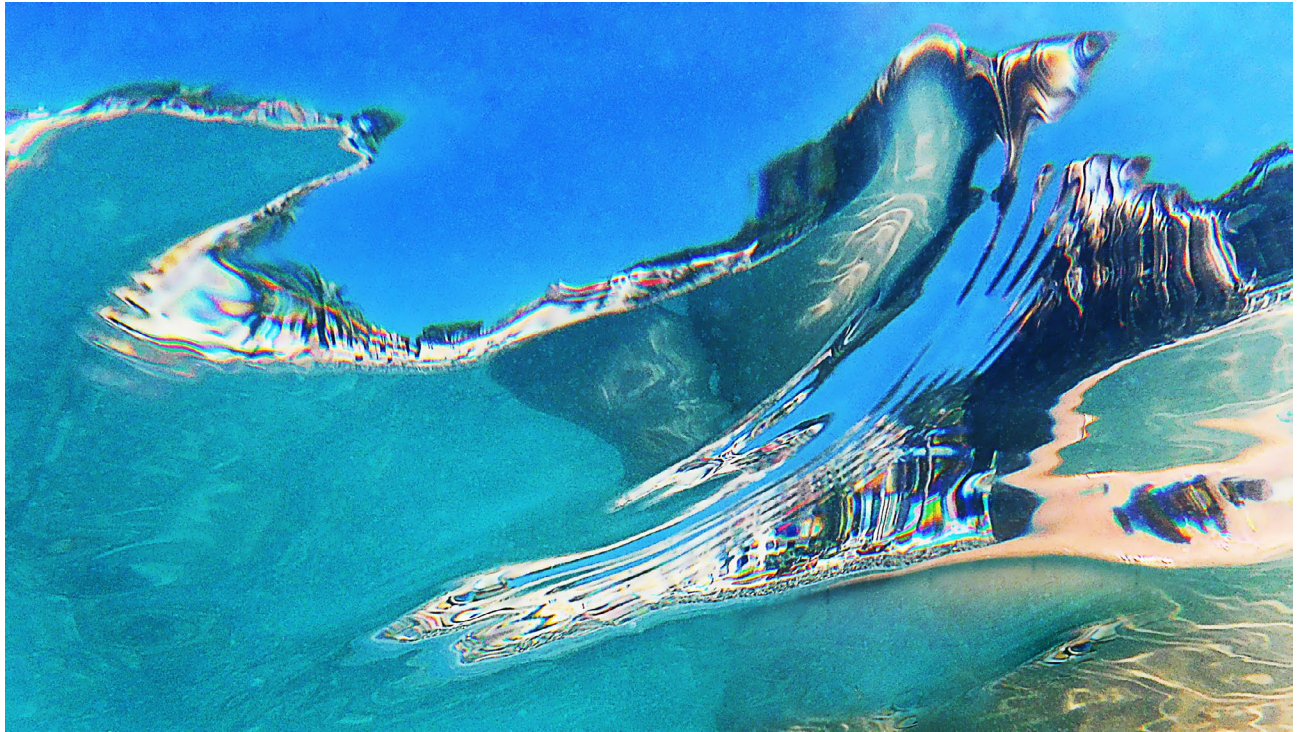
Leon Anselmann in Flux 5505519 (2017)



Attracted to the colours and forms of the other bathers with their inflatable beach toys, in recognition of the limitations imposed by photographing only those who had agreed to pose for me, I began to “hunt” —like a shark in shallow waters—for potentially interesting shapes and colours.

Having discovered that it was necessary to be within two or three metres of other bathers to get worthwhile results, it was, of course, necessary to be careful not to draw attention to myself and what I was doing. I generally avoided swimming close to women (except for my long-suffering wife and muse) and children, but largely restricted myself to adult males.

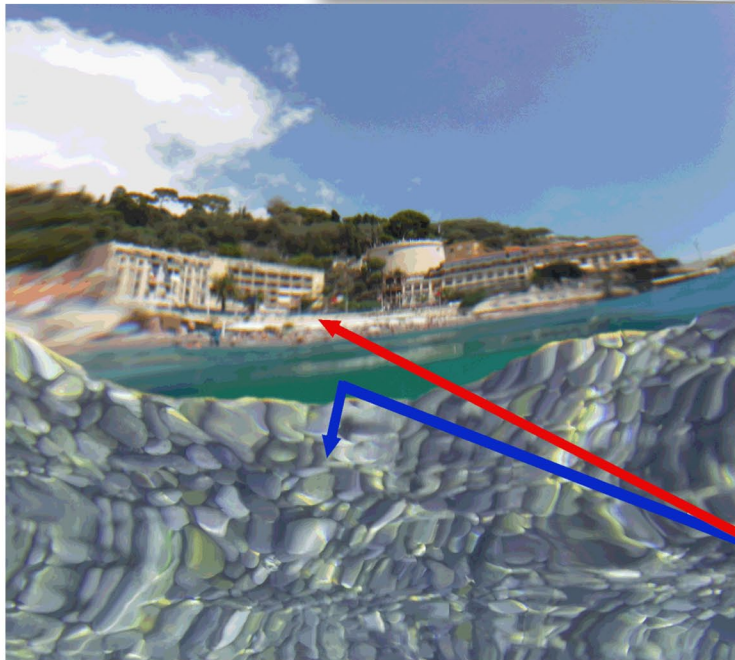
Riding the Unicorn 04722389 (2018)



After several summers on the Aegean (where the previous four photographs were made), the next set of photographs in the series were made at Nice on the Côte d'Azur. This resulted in two significant differences. Where the beaches of Santorini and Crete have modern hotel complexes close to the shore, the beaches of Nice are surrounded by picturesque buildings. As a result, the photographs from the Aegean were made facing out to sea, but in Nice, the photographs were made facing the shore. Secondly, whereas the beaches of the Aegean are sandy, the Mediterranean seabed at Nice is *galets* (pebbles) which are reflected in the mirror-like underside of the surface of the water.

Castel Plage 0528776 (2022)





This photograph of the eastern edge of seawall enclosing *le vieux Nice* (the medieval old town) shows the buildings whose distorted depiction appears in the two *Castel Plage* images.



Castel Plage 0289283 (2022)



Using the same technique employed in the Aegean and the Mediterranean, these two photographs were made in a swimming pool. Here, the mirror-like underside of the surface of the water reflects the distorted lines of the blue ceramic pool tiles.

At the House of Nain 0158317 (2022)



The notion explored in several of my projects—that it is possible to collaborate with the medium to document scenes, resulting in photographs which were not “taken” but were instead created by the act of photographing them – is explained in detail in my article *Is This Photograph Taken?*

I have now been dancing with this collaborator for years.

Kevin Denver in Flux in the Pool of Nain 98253 (2022)



A little farther west along the Promenade des Anglais from Castel plage is the famous Hotel Negresco with its famous pink cupola. Here, the seabed slopes into the sea at a gentler angle. As a consequence, to have sufficient depth to ensure that it is not immediately obvious what I am doing (as many people would understandably object to being surreptitiously photographed underwater), it is necessary to be farther from the shore. This results in photographs with a wider vista than those made at Castel Plage.



It is important to note that these are all “straight” photographs. In some cases, I have increased the brightness or contrast or cropped the images (interventions comparable to those available in a photographic darkroom) and spotted out bubbles—but I have not otherwise manipulated or “photo-shopped” the results.

Unlike some photographers for whom “making” a photograph means exercising exacting control of the medium, my approach treats the medium itself as an active participant in image-making. I am interested in creating the conditions in which the resulting photographs have not been “taken” (which implies that the image was already there), but instead, are created by the act of photographing them.

In this and many of my other projects, I have set out to give agency to the medium, stand back and see what happens.

Negresco Plage 0272 (2026)



These images are an accurate and objective record account—but one which depicts how things really were to the camera, not to us. Simultaneously, both the record and the product of a very different way of knowing, the scenes and moments depicted did not—and sometimes could not—exist “out there”, but were created by (what I have called) an act of photography.

Gary Winogrand said, “The photograph isn’t what was photographed, it’s something else. I photograph to find out what something will look like photographed.” Similarly, Diane Arbus observed, “You don’t put into a photograph what’s going to come out. Or, what comes out is not what you put in.”

Interview with the Artist

Your professional career has spanned 4+ decades. Recap your timeline? Any noteworthy stops along the way?

I was a commercial photographer in Toronto, Canada, from 1982 to 1993, specialising mostly in editorial and illustrative photographs for trade magazines, advertising and public relations agencies, and public education illustrations for government ministries and charities.



Rutherford Photo: Hooman Moghadam

After 12 years, I withdrew from commercial photographic practice and accepted roles as Director of Communication—first for an environmental industry group, and then, for a social justice organisation educating men about their responsibility for ending domestic violence (1993-1997).

We moved to Nice, France, in 1997 and, after two years in corporate communication in French engineering firms, I accepted a post teaching undergraduate courses in visual communication, advertising, photography, technical communication, and modern history (1999-2005).

A move to the UK in 2005 to accept the post as course leader of BA Advertising at the University of Chester (2005-2014) was followed by the offer of a post as course leader of MA Advertising at Bournemouth University (2014-2024). I completed my Ph.D. in 2024, retired, and returned to Nice. Throughout, I've compiled numerous publication credits on the topics of Pedagogy, Visual Communication and its influence on our mental pictures, and Social Justice.

What did you like about teaching? Is there a downside? For some an academic career is handcuffs, for others it's liberation. What about you?

I began teaching in adult education (classes in photography) at a community college in Toronto in 1985. I enjoyed it very much, primarily because I found that, in having to explain principles and practices in terms accessible to amateurs, it helped me to understand my own photography better.

When teaching these classes, on the first or second night, a few students would invariably rock up with their gadget bags full of kit: camera bodies, lenses of different focal lengths (especially the big, long ones), and special effect filters. My advice to these students (which often went over like a lead zeppelin) was to choose one body and one lens—and lock all the rest away for the duration of the course. The problem with having a lot of equipment is that, when (as inevitably happens) the image in the viewfinder doesn't seem right, having access to this equipment encourages the tendency to “fiddle with the kit”—rather than thinking about what you are trying to achieve and/or moving left or right, forwards or backwards, or up or down. Changing lenses is rarely the solution. Further, access to kit leads to what I have called “The Rule of the Tool”: the principle that our access to, and our proficiency with, certain tools or techniques encourages their use.

Looks like a big change in scope (not to mention climate!) came along with the move from Toronto to Nice. A shock?

When we moved to Nice in 1997, I assumed that this meant giving up on teaching, and so, in 1999, it was a pleasant surprise to be invited to join the faculty of a private university.

The university was north of Antibes, a 45-minute comfortable coach trip from Nice. This meant that, unlike my colleagues who drove to work, I didn't arrive in a state of nervous exhaustion after jousting with French motorists. Instead, I had a peaceful and comfortable ride along the coast, up into the hills, past palm trees and medieval villages, during which I could organise my thoughts (such as I had) and prepare for the ordeal ahead. I usually arrived about 40 minutes before class and invariably had a whack (a printer's technical term which we might translate to "shitload") of photocopying to do before each class. At the end of the day, I waited for the coach beside an olive grove. Teaching in Toronto was never like this.

The invitation to a program design position in the UK added another layer of complexity. What was your mission?

I was given the opportunity to fundamentally redesign the BA Advertising course. My revised curriculum was guided by four objectives for the students, that they should become: 1) competent advertising professionals in rewarding, self-directed careers, 2) capable of reflective, self-aware life decisions, 3) informed and engaged citizens, committed to the interest of the common good, and 4) enthusiastic lifelong learners.

To a prospective advertising major, this might seem to be a surprising emphasis on personal, over and above technical skills.

There are two issues here. Firstly, without the capacity to identify, and the inclination to reflect upon, how and why they

have been affected by advertising messages, students will be unable to make effective or appropriate decisions in devising strategy or creative work that will likewise affect others.

Secondly, as a consequence of the increasing marketisation of university education, the majority of students and, sadly, an increasing proportion of university managers and administrators IMAGinE* (mentally picture) that the primary (or even the sole) purpose of university is to provide job training. This widespread perception has led to a significant reduction in students' responsibility for their own learning, and the belief that education is (like taking your car to an auto mechanic) a service provided by academics. This, in turn, makes it less likely that students will develop a proactive and self-directed attitude towards learning. (If correct, this gives the lie to the common complaint that students are "lazy"; they are not — they are simply responding appropriately to a limited— and limiting— mental picture of both the purpose of learning as well as the extent of their individual responsibility for achieving it.

You also redesigned and led the MA advertising program with a curriculum that adds a layer of emphasis on social responsibility.

As educators, we have a responsibility to our students (and to the future of the industries they hope to enter) to ensure the practical relevance of our courses—but I believe that we also have a duty to another, higher objective: to prepare our students for the challenges of shaping the world we will not live to see.

My redesign of the MA Advertising programme and curriculum acknowledged three recently identified trends in

* *The typographical conceit IMAGinE reminds the reader that the root of the verb "to imagine" is image.*

the advertising industry: 1) the demand by consumers that brands and organisations commit to meaningful changes to their practices to address our world's urgent social and environmental challenges, 2) The demand by brands and agencies for graduates who are able to design strategies and materials that respond creatively, meaningfully, and effectively to these challenges, and 3) the demand by university applicants that their chosen courses of study prepare them for careers in which they can "make a difference."

What's the best advice you ever received? From whom? Why was it so meaningful? Have you tried to pass the message along to your own students?

The best advice I ever received came from Storm Thorgerson, of *Hipgnosis* whom I was fortunate to meet in London in 1980. He challenged me to answer three questions about my work: 1) What was I trying to achieve? 2) Did I succeed? And 3) How did I know? His challenge obliged me to understand—the proof of which is the ability to put into words—what I was trying to do, and the criteria by which I evaluated the results.

My students (and not just those in my photography classes, but those in advertising, visual redesign, and even academic research projects), came to know these three questions as "Thorgerson's Razor."

Thorgerson's questions demand a durable answer to the question, "What makes a photograph successful?" What's your definition?

Some have suggested (and I am one of them) that an essential characteristic of a successful work in any medium is that its power to engage and affect us depends on the contribution

of the process or medium in which it was created. A successful photograph should be (at least in part) about photography.



Cartier-Bresson ("Derrière la Gare Saint-Lazare"), Kertész ("Ballet, N.Y.") and Halsman (Dean Martin and Jerry Lewis, "Jump")

To be successful, I believe that the photograph must explicitly acknowledge—or even celebrate—the active (or *the act of*) contribution by the medium in rendering scenes and moments as photographs. Consider the works of Cartier-Bresson, Kertész, Capa, Halsman, Winogrand, Frank, and Krzyzanowski, and one finds that (most of) the scenes or moments they have recorded did not exist—and, moreover, could not have existed—until they were created by the act of photographing them.

To develop an ability to prove understanding in words, the "Razor" requires some deep thinking about what makes a photograph a work of art. What have you found?

I use the term "fine art" to refer to works that encourage and/or enable the viewer to transcend his/her usual frame of reference and so IMAGInE the subject from a new perspective and which are therefore esteemed for their imaginative, aesthetic, or intellectual value.

Art is like fire (which depends on the presence of fuel, heat and oxygen) in that it depends on the presence and interaction of three elements: 1) an artist (including his/her intention and ability), 2) the work (including the contribution of the medium), and 3) the reaction of the viewer. Remove any one of these, and there is no Art. Imagine a gallery full of the world's greatest masterpieces, but which is sealed shut so that no one can see them, or even know whether they are inside. Are they still Art?

Among plenty of art consumers, viewers, and buyers, there is a sense that art is the stuff hanging in museums and galleries.

I suspect that I have a different definition of Art. (Occupational hazard of being an academic; ontology is important.)

There is a mistaken assumption that Art is the physical "thing," object, or artefact. The corollary of this is the belief that it is an inherent property of certain media, such as "Painting is Art." This belief is sometimes revealed in the well-intentioned, but insulting, "compliment" that every photographer has heard: "This photograph is really good; it looks like a painting...." I submit instead that Art is an *experience*: the thing that happens to us when we are confronted by, and prompted to reflect on, our reaction to a work. Art is the transcendent experience of being taken, even momentarily, outside of ourselves when we are confronted by, and prompted to reflect on, our reaction to a work. (If we have this experience in the presence of an image, does it matter if we later learn that it was a forgery?)

There is also a widely accepted notion that Art is the product of, and is therefore dependent on, the possession and application of a Great Talent. But, imagine for a moment that a

baby gets hold of a camera and, while bringing it to its mouth, pushes the button. Assuming that you were unaware of the origin of the image, imagine that, when looking at the result, you realise that it resembles in every important respect a famous "artistic" photograph. If you were then to learn the origin of the image, what does the knowledge that the creation of the image was not the result of the artist's intent do to your estimation of the value, quality, or merit of the resulting photograph? To what extent then, is Great Art dependent on the intentional application of talent or ability—and to what extent is it the consequence of the medium just "doing what it does?"



Zoom portrait – Salvo Scifo disrupted

Like many of us, you were there for the introduction and growth of digital cameras and software tools. Were you an early adopter?

I first began using a digital camera early in the new millennium. While it may be a conceit, I make a distinction between "photographs" and "pixel paintings." The former, whether silver-based (analogue) or digital, are those whose results have not been modified or manipulated beyond what what is possible in a traditional camera and darkroom—changes to tone, contrast and cropping, etc. Pixel paintings

are those in which the artist is free to take advantage of the potential of software manipulation. I consider both to be valid media, but they do not play by the same rules.

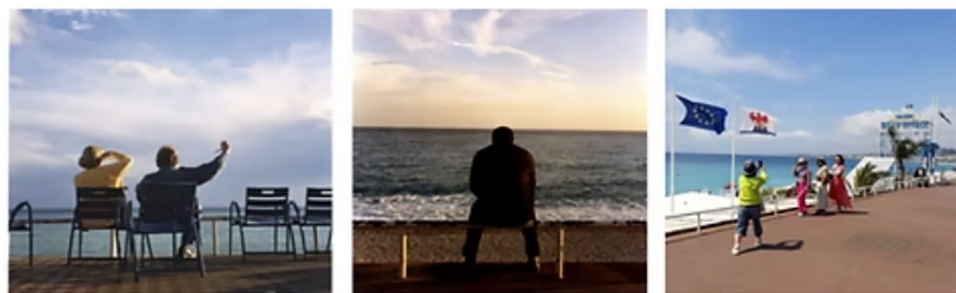
There's a trend back to alt- and antiquarian methods lately. What happened to your "wet" darkroom?

Throughout my years in Toronto, I maintained a professional 4x5 darkroom. While most of my commercial clients wanted colour photographs, a few permitted me to convince them that, for this or that assignment, B&W would be more effective in achieving the objectives of the assignment. My personal work was all made in B&W, usually with my *f*3.5 twin-lens Rolleiflex 6x6. Developing my own film (including the choice of developer) and making my own prints allowed a finer degree of control over contrast and tone than is possible in colour (in which, any significant change to development time or temperature leads to cross-curves).

In 1997, in preparation for our move to Nice, I packed up my darkroom for shipping—hoping and intending to re-establish it in Nice as soon as our circumstances permitted us to rent a large enough apartment. (A 4x5 enlarger is not something one can set up in a bathroom.) Until then, as I was unwilling to allow anyone else to develop my B&W film or print my negatives, I was obliged to start working in colour. Other than holiday photographs, I hadn't made colour photographs since my daze in commercial practice... but what a place to rediscover colour—where the light covers the azure blues and the chrome and ochre yellows in a golden honey glaze.

In making photographs in colour, my first challenge was to try to get beyond "pretty pictures." On arrival on the Côte d'Azur, I made many of these (some of which were even rather good),

but I was after something else—to make photographs of this light rather than with it.



Triptych – Côte d'Azur

The influence of this place (including its history and the light filtering through my tall windows) soon began to show up in my photographs. Having long been interested in the way in which the light from the tall floor-to-ceiling windows of the studios of both the Italian and Northern Renaissance painters provided the distinctive quality of the light in their paintings, I found it exciting that, in our apartment in *le vieux Nice*, I had the chance to make photographs of it. (First the Van Dyke beard, now these windows. I wondered: would knee-high leather boots be far behind?)

The darkroom however, stayed in its crates throughout our years in Nice, eventually following us to the UK in 2005. (Seeing it loaded, unloaded, and then loaded and unloaded again when we moved from Chester to Bournemouth in 2014, I began to think of it as my equivalent of the chains and strongboxes with which, in *A Christmas Carol*, Jacob Marley's ghost was fettered. On the eve of our return to Nice in 2024, I finally reconciled myself to the fact that it would never come out again, and donated it to a local community charity.

What do you look for in new work you see? Are you a tough sell?

In new work, I look for new ways to use the medium (although these “new ways” need not be revolutionary, just a fresh approach) but which acknowledge and even celebrates the contribution of the medium. I'm a very tough sell. I am SO bored with what I term “sunset photographs”—photographs which, despite technical competence, show what are effectively interchangeable figures standing or sitting staring into the lens. The reference to “sunsets” is meant to suggest that, the thing/s in front of the lens may be interesting, but not because of anything the photographer contributed.

What about A.I.? For you? For photography in general?

AI plays no role in my work. It may yet prove to be a valid medium, but probably not for me. I resent the current political environment in which AI (and its techbro proprietors) have been given license to steal the work of others under the pretext of “training” this technology.

With patience and time, creative photography requires good ideas. Pro tips? What helps? What gets in the way?

Good ideas come from paying attention to the world and (sometimes) to our inner dialogue. I do not have a smartphone and have always urged those who want to improve their work to get rid of theirs. I used to say that same thing about portable stereos. Anything that insulates you in a bubble. Open your eyes and pay attention to the sights and sounds around you.

One of the most dangerous tendencies in learning to make original photographs is reliance on what I have called our compositional reflexes: our internalised assumptions about what constitutes a good or interesting photograph. Borrowing

from the Chinese idea that one “passes from boredom into fascination”, I advise anyone who wants to grapple seriously with the medium to choose a subject (chairs, clouds, broken things) and to photograph that—and nothing but that—for six months. It will take time, but this will eventually burn away those compositional reflexes and confront the photographer with “the thing as itself.”

Those who have done it often report that, after exhausting all of the possibilities they could think of for ways to photograph their chosen subject (which is the first crucial step of the process), they “go dry” and find themselves simply gazing dumbly at their chosen subject until, one day, they are surprised to find that it “speaks to them” and tells them what it is.

Rutherford Online

<https://www.theshadowofthephotographer.co.uk/>

Rutherford is currently looking for an agent or gallery representation — shadowotp@hotmail.com

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